

Act 1994 No. 32

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL
1994***

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are:

- (a) to make minor amendments to various Acts (Schedule 1); and
- (b) to amend certain other Acts for the purpose of effecting statute law revision (Schedule 2); and
- (c) to replace gender-specific language with gender-neutral language (Schedule 3); and
- (d) to repeal certain Acts (Schedule 4); and
- (e) to make other provisions of a consequential or ancillary nature (Schedule 5).

Clauses 1–5 are machinery provisions specifying the short title of the proposed Act, providing for its commencement and giving effect to the Schedules to the Act containing amendments, repeals and savings, transitional and other provisions.

Clause 6 makes it clear that the explanatory notes contained in the Schedules do not form part of the proposed Act.

SCHEDULE 1—MINOR AMENDMENTS

Schedule 1 makes amendments to the following Acts:

- Anatomy Act 1977 No. 126
- Compensation Court Act 1984 No. 89
- Crimes Act 1900 No. 40
- Crown Lands Act 1989 No. 6

* Amended in committee—see table at end of volume.

Statute Law (Miscellaneous Provisions) 1994 [Act 1994 No. 32]

District Court Act 1973 No. 9
 Dividing Fences Act 1991 No. 72
 Dog Act 1966 No. 2
 Exhibited Animals Protection Act 1986 No. 123
 First State Superannuation Act 1992 No. 100
 Gaming and Betting Act 1912 No. 25
 Health Administration Act 1982 No. 135
 Human Tissue Act 1983 No. 164
 Impounding Act 1993 No. 31
 Jurisdiction of Courts (Cross-vesting) Act 1987 No. 125
 Local Courts (Civil Claims) Act 1970 No. 11
 Necropolis Act 1901 (1902 No. 20)
 New South Wales Institute of Psychiatry Act 1964 No. 44
 Noxious Weeds Act 1993 No. 11
 Passenger Transport Act 1990 No. 39
 Prisoners (Interstate Transfer) Act 1982 No. 104
 Prisons Act 1952 No. 9
 Privacy Committee Act 1975 No. 37
 Public Health Act 1991 No. 10
 Public Sector Executives Superannuation Act 1989 No. 106
 Rural Lands Protection Act 1989 No. 197
 St. John's College Act (1857) (21 Vic.)
 Sancta Sophia College Incorporation Act 1929 No. 45
 Statute Law (Miscellaneous Provisions) Act (No. 3) 1989 No. 226
 Statute Law (Miscellaneous Provisions) Act (No. 2) 1993 No. 108
 Stock Medicines Act 1989 No. 182
 Strata Titles Act 1973 No. 68
 Strata Titles (Leasehold) Act 1986 No. 219
 Strata Titles (Leasehold Staged Development) Amendment Act 1993 No. 13
 Strata Titles (Staged Development) Amendment Act 1993 No. 12
 Supreme Court Act 1970 No. 52
 Teacher Housing Authority Act 1975 No. 27
 Vocational Education and Training Accreditation Act 1990 No. 120
 Water Supply Authorities Act 1987 No. 140

The amendments to each Act are explained in detail in the explanatory note relating to the Act concerned set out in Schedule 1.

Where necessary, provisions of a saving or transitional nature relating to the amendment concerned have also been set out in Schedule 1.

Statute Law (Miscellaneous Provisions) 1994 [Act 1994 No. 32]

SCHEDULE 2—AMENDMENTS BY WAY OF STATUTE LAW REVISION

Schedule 2 amends certain other Acts for the purpose of effecting statute law revision. A number of other amendments are made relating to formal drafting matters and minor corrections.

The amendments to each Act are explained in detail in the explanatory note relating to the Act concerned set out in Schedule 2.

SCHEDULE 3—AMENDMENTS REPLACING GENDER-SPECIFIC LANGUAGE

Schedule 3 substitutes gender-neutral language for gender-specific language in various Acts. A policy of using gender-neutral language in New South Wales legislation was formally announced by the Governor in his speech for the opening of Parliament on 16 August 1983 and has been strictly applied ever since. However, gender-specific language remains in many of the statutes currently in force that were enacted before the policy was implemented. The proposed Act introduces a Schedule specifically aimed at removing that language from the statute book. It is intended that the statute law revision program will continue the process of removal until all gender-specific language has been replaced.

The Schedule adopts 2 approaches:

- (a) it amends Acts chronologically, beginning with the Copyright Act 1879; and
- (b) it amends particular groups of Acts (such as those relating to courts).

SCHEDULE 4—REPEALS

Schedule 4 repeals a number of Acts. Since the Statute Law (Miscellaneous Provisions) Act 1985, the number of Acts in force has been gradually reduced by repealing amending Acts once the amendments contained in the Acts have been incorporated in a reprint. The Schedule continues this process.

SCHEDULE 5—GENERAL SAVINGS, TRANSITIONAL AND OTHER PROVISIONS

Schedule 5 contains savings, transitional and other provisions of a more general effect than those set out in Schedule 1.

The purpose of each provision is explained in detail in the explanatory note relating to the provision concerned set out in Schedule 5.
